

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

LEXOS MEDIA IP, LLC,

Plaintiff,

v.

Civil Action No. 6:22-cv-00648-ADA

EBAY, INC.,

Defendant.

**DECLARATION OF JOSHUA L. RASKIN IN SUPPORT OF
DEFENDANT EBAY, INC.’S OPPOSED MOTION TO TRANSFER
VENUE TO THE NORTHERN DISTRICT OF CALIFORNIA**

I, Joshua L. Raskin, hereby declare as follows:

1. I am an attorney at law duly licensed to practice law in the State of New York and am a Shareholder for the law firm of Greenberg Traurig, LLP, attorneys of record for eBay, Inc. (“eBay” or “Defendant”) in the above-entitled action. I make this declaration in support of eBay’s Opposed Motion to Transfer Venue to the Northern District of California. Unless otherwise stated, I have personal knowledge of the facts set forth in this declaration, and if called as a witness, could and would competently testify as set forth below.

2. Attached hereto as **Exhibit A** is a true and correct copy of a web page obtained from the State of Delaware’s Department of State: Division of Corporations, which states that Plaintiff Lexos Media IP, LLC was formed in Delaware on January 14, 2013.

3. Attached hereto as **Exhibit B** is a true and correct copy of a Technology Assignment Agreement executed on January 15, 2013 between Lexos Media, Inc. and Plaintiff Lexos Media IP, LLC and signed by Robert Cote on behalf of Plaintiff. Exhibit B is highlighted for the Court’s convenience.

4. Attached hereto as **Exhibit C** is a true and correct copy of the LinkedIn profile of Robert Cote retrieved from <https://www.linkedin.com/in/therobertcotechannel/> on June 8, 2023, which indicates that he resides in New York, New York.

5. Attached hereto as **Exhibit D** is a true and correct copy of U.S. Patent No. 7,975,241 (the “241 patent”), which issued on July 5, 2011.

6. Attached hereto as **Exhibit E** is a true and correct copy of excerpts from the prosecution file history of U.S. Patent No. 5,995,102. Exhibit E is highlighted for the Court’s convenience

7. Attached hereto as **Exhibit F** is a true and correct copy of excerpts from the prosecution file history of U.S. Patent No. 6,118,449. Exhibit F is highlighted for the Court’s convenience

8. Attached hereto as **Exhibit G** is a true and correct copy of excerpts from the prosecution file history of the ’241 patent. Exhibit G is highlighted for the Court’s convenience

9. Attached hereto as **Exhibit H** is a true and correct copy of the “Address & Attorney/Agent Information” page for the ’241 patent on the United States Patent and Trademark Office’s Patent Center, retrieved from <https://patentcenter.uspto.gov/applications/11040190/attorney?application=> on June 9, 2023, which lists the New York address of the law firm ACKnowledge IP P.C. as the “correspondence address” for the ’241 patent.

10. Attached hereto as **Exhibit I** is a true and correct copy of the “Contact Us” page from the website of the law firm ACKnowledge IP P.C., retrieved from <https://acknowledgeip.com/contact-us/> on June 9, 2023. The website states that ACKnowledge IP, P.C. is located in Syosset, New York.

11. Attached hereto as **Exhibit J** is a true and correct copy of U.S. Patent No.

5,937,417, which issued on August 10, 1999.

12. Attached hereto as **Exhibit K** is a true and correct copy of U.S. Patent No. 5,991,781, which issued on November 23, 1999.

13. Attached hereto as **Exhibit L** is a true and correct copy of the LinkedIn profile of Jakob Nielsen retrieved from <https://www.linkedin.com/in/jakobnielsenphd/> on June 8, 2023, which indicates that he resides in Fremont, California.

14. Attached hereto as **Exhibit M** is a true and correct copy of a web printout from Google Maps, showing the distance from eBay's Headquarters, located at 2025 Hamilton Avenue, San Jose California 95125, to the NDCA San Jose courthouse, located at 280 South 1st Street, San Jose, CA 95113.

15. Attached hereto as **Exhibit N** is a true and correct copy of a web printout from Google Maps, showing the distance from eBay's Headquarters, located at 2025 Hamilton Avenue, San Jose California 95125, to the NDCA Oakland courthouse, located at 1301 Clay Street, Oakland, CA 94612.

16. Attached hereto as **Exhibit O** is a true and correct copy of a web printout from Google Maps, showing the distance from eBay's Headquarters, located at 2025 Hamilton Avenue, San Jose California 95125, to the NDCA San Francisco courthouse, located at 450 Golden Gate Avenue, San Francisco, CA 94102.

I declare under penalty of perjury that the foregoing is true and correct.

DATED: June 13, 2023

/s/ Joshua L. Raskin
Joshua L. Raskin